

**IN THE CLAIMS:**

Please amend claims as follows;

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B19  
1. (Amended) A promoter comprising the following DNA (a) or (b), characterized in that it is capable of functioning in plant cells:

(a) DNA comprising the nucleotide sequence shown in SEQ ID No:1 or SEQ ID No:7, or

(b) DNA comprising a nucleotide sequence in which one or more bases are deleted, substituted, or added in the nucleotide sequence shown in SEQ ID No:1 or SEQ ID No:7, and which has more than 90% identity to the nucleotide sequence of any region consisting of 250 bp or more within the nucleotide sequence shown in SEQ ID No:1 or SEQ ID No:7, which comprises the nucleotide sequence shown in SEQ ID No:24, wherein said DNA has promoter functions equivalent to those of the above DNA (a).

2. (Original) A terminator comprising the following DNA (a) or (b), characterized in that it is capable of functioning in plant cells:

(a) DNA comprising a nucleotide sequence shown in SEQ ID No:2, or

(b) DNA comprising a nucleotide sequence in which one or more bases are deleted, substituted, or added in the nucleotide sequence shown in SEQ ID No:2 and which has more than 90% identity to the nucleotide sequence of any region shown in SEQ ID No:2, wherein said DNA has terminator functions equivalent to those of the above DNA (a).

3. (Amended) A chimeric gene comprising [characterized in that it comprises] a promoter of claim 1 and a desired coding sequence [gene] operatively linked to each other [in the form capable of functioning].

4. (Amended) A chimeric gene comprising [characterized in that it comprises] a promoter of claim 1, a desired coding sequence [gene], and a terminator of claim 2 operatively linked to each other [in the form capable of functioning].

5. (Original) A chimeric gene characterized in that it comprises a promoter of claim 1 and a desired gene linked to each other in the form capable of functioning.

B19  
6. (Amended) A vector characterized in that it contains a promoter of claim 1 and a desired coding sequence [gene].

7. (Amended) A vector characterized in that it contains a promoter of claim 1, a desired coding sequence [gene], and a terminator of claim 2.

8. (Amended) A method of producing a transformant comprising introducing into a host cell[, characterized in that it comprises a step in which] any one of a promoter of claim 1, a chimeric gene of claim 3 or 4, [and] or a vector of claim 5, 6 or 7 [is introduced into a host cell].

9. (Amended) A non-human transformant comprising [characterized in that it carries] any one of a promoter of claim 1, a chimeric gene of claim 3 or 4, [and] or a vector of claim 5, 6 or 7, introduced into a [the] host cell.

10. (Amended) A transformant of claim 9 [characterized] in which [that] the host cell is a microbial cell or a plant cell.

11. (Original) A method of expressing a gene, characterized in that it comprises a step in which a promoter of claim 1 and a desired gene located downstream from said promoter are placed in a host cell, and step in which the desired gene is expressed in the host cell under the control of said promoter.

12. (Original) A method of expressing a gene, characterized in that it comprises a step in which a terminator of claim 2 and a desired gene located upstream from said terminator are placed in a host cell, and a step in which the desired gene is expressed in the host cell under the control of said terminator.

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B19  
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